

IN THE UNITED STATES DISTRICT COURT OF THE  
NORTHERN DISTRICT OF WEST VIRGINIA

J. RON WRIGHT, in his capacity as  
Administrator of the Estate of TERRY  
LEE RICHARD, JR., *et al.*

Plaintiffs,

v.

CIVIL ACT NO.: 1:15-CV-00205  
The Honorable Irene Keeley

SBA COMMUNICATIONS CORP., *et al.*

Defendants.

**PARTIES' JOINT PROPOSED  
AMENDED SCHEDULING ORDER**

Come now the parties, plaintiffs and third-party defendants J. Ron Wright and Jerry Hill by their counsel Allan N. Karlin, Jane E. Peak and Damon L. Ellis, plaintiff and third-party defendant Autumn Kirkpatrick, by her counsel Allan N. Karlin and Jane E. Peak, and plaintiff and third-party defendant Randall McElhaney by his counsel Damon L. Ellis; defendants SBA Communications Corp., SBA Infrastructure, LLC, SBA Network Services, LLC and SBA Towers, LLC by their counsel Philip J. Sbrolla and Matthew C. Schrebe, defendants and third-party plaintiff FDH Engineering, Inc., FDH Velocitel and FDH, Inc., by their counsel Debra Tedeschi Varder, James A. Varner and Stanley Heflin; defendant and third-party plaintiff FDH Velocitel and Velocitel, Inc., by their counsel Peter T. DeMasters; and third-party defendant S&S Communication Specialists, Inc. by its counsel Paul D. Krepps, pursuant to the Court's December 20, 2017 Order Following Status Conference ("Order") (Doc. 209), requiring the parties to these consolidated cases to file a proposed amended scheduling order regarding five (5) issues, and submits the following dates which the parties have agreed to.

Plaintiff and 3 <sup>rd</sup> party plaintiff expert disclosure	June 1, 2018
Defendant and 3 <sup>rd</sup> party defendant expert disclosure	June 29, 2018

Rebuttal expert disclosure <sup>1</sup>	July 13, 2018
Completion of discovery	August 31, 2018
Parties to conduct mediation on or before	July 31, 2018
Filing of dispositive motions	September 17, 2018

Should the Court have any questions or concerns regarding the proposed scheduling order, counsel will arrange a conference call with the Court to discuss.

Respectfully Submitted by  
The Parties.

/s/ Jane E. Peak

Jane E. Peak, WV Bar # 7213  
Allan N. Karlin, WV Bar # 1953  
Allan N. Karlin & Associates  
174 Chancery Row  
Morgantown, Wv 26505  
304-296-8266  
304-296-8640 (fax)  
[jep@wvjustice.com](mailto:jep@wvjustice.com)

/s/ Damon L. Ellis

Damon L. Ellis, WV Bar # 8802  
John Mani, WV Bar # 8824  
Mani Ellis & Layne, PLLC  
602 Virginia Street, East, Suite 200  
PO Box 1266  
Charleston, WV 25325  
304-720-1001

*Agreed to:*

/s/ Debra Tedeschi Varner

Debra Tedeschi Varner, WV Bar # 6501  
James Varner, WV Bar # 3853  
Stanley A. Heflin, III, WV Bar # 12745  
McNeer, Highland, McMunn & Varner, LC  
PO Drawer 2040  
Clarksburg, WV 26302-2040

---

<sup>1</sup> A deadline for rebuttal expert disclosure has been added so that the date is established should a rebuttal expert be required.

/s/ *Peter T. DeMasters*

Peter T. DeMasters, WV Bar # 7153  
Flaherty Sensabaugh & Bonasso PLLC  
48 Donley Street  
Suite 501  
Morgantown, WV 26501

/s/ *Phillip J. Sbrolla*

Philip J. Sbrolla, WV Bar # 11297  
Matthew C. Schrebe, WV Bar # 11972  
Cipriani & Werner P.C.  
1144 Market Street  
Suite 300  
Wheeling, WV 26003

/s/ *Paul D. Krepps*

Paul D. Krepps, WV Bar # 6789  
Marshall Dennehey Warner Coleman & Goggin  
US Steel Tower, Suite 2900  
600 Grant Street  
Pittsburgh, PA 15219  
412-803-1188

/s/ *John R. Angotti*

John R. Angotti, WV Bar # 5068  
David J. Straface, WV Bar # 3634  
Angotti & Straface, LC  
274 Spruce Street  
Morgantown, WV 26505  
304-292-4381

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>th</sup> of January 2018, I electronically filed the “Parties’ Joint Proposed Amended Scheduling Order” with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

Philip John Sbrolla  
Matthew C. Schrebe  
Cipriani & Werner P.C.  
1144 Market Street  
Suite 300  
Wheeling, WV 26003  
(304) 232-3600  
(304) 232-3601 (fax)  
psbrolla@c-wlaw.com

Debra Tedeschi Varner  
James A. Varner  
Stanley A. Heflin  
McNeer, Highland, McMunn & Varner, LC  
PO Box 2040  
Clarksburg, WV 26302-2040  
(304) 626-1100  
(304) 623-3035 (fax)  
saheflin@wvlawyers.com

Peter T DeMasters  
Flaherty Sensabaugh & Bonasso PLLC  
48 Donley St, Suite 501  
Morgantown, WV 26501  
(304) 598-0788  
(304) 598-0790 (fax)  
peted@fsblaw.com

Paul D. Krepps  
Marshall, Dennehey, Warner, Coleman, &  
Goggin  
2900 USX Tower  
600 Grant Street  
Pittsburgh, PA 15219  
(412) 803-1140  
(412) 803-1188 (fax)  
pdkrepps@mdwccg.com

John R. Angotti  
David J. Straface  
Angotti & Straface, LC  
274 Spruce St  
Morgantown, WV 26505  
(304) 292-4381  
304-292-7775 (fax)  
johnangotti@hotmail.com  
djstraface@frontier.com

and by first class mail to the following entities who are not CM/ECF participants in this case:

Gerald R. Miller  
Gerald R. Miller, PC  
PO Box 2667  
Muskogee, OK 74402-2667  
*Trustee of S. and S. bankruptcy  
estate*

S. and S. Communication Specialist, Inc.  
PO Box 628  
Hulbert, OK 74441-0628

/s/ Jane E. Peak  
JANE E. PEAK, WV BAR # 7213  
ALLAN N. KARLIN & ASSOCIATES  
174 CHANCERY ROW  
MORGANTOWN, WV 26505  
304-296-8266  
304-296-8640 (fax)  
jep@wvjustice.com